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QUESTION OF EAST TIMOR

SECURITY COUNCIL
Forty-fourth year

Letter dated 28 November 1989 from the Permanent Representative of Portugal to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to inform you of the following:

1. On 27 October 1989, the Ministers for Foreign Affairs of Australia and Indonesia, and the Ministers for Foreign Affairs and for Resources of Australia, issued joint statements on the conclusion of negotiations on a "zone of co-operation in an area between the Indonesian province of East Timor and Northern Australia (Timor Gap)". It was further announced that the two Governments agreed to take appropriate steps in order to sign and ratify a "treaty", together with its "annexes", on the establishment of the aforesaid "zone of co-operation".

2. Through this "treaty", the two countries are aiming at jointly exploring and exploiting petroleum resources in the maritime area comprised between Australia and the non-self-governing territory of East Timor under Portuguese administration.

3. According to the declarations made by the Portuguese Government on 9 September and 28 October 1989, as well as its previous stance on the matter, the Portuguese Ambassador in Canberra lodged a diplomatic protest with the Government of Australia against the above-mentioned statements on 30 October 1989. He pointed out, once again, that the signature and ratification of such a "treaty" will constitute a blatant breach of international law, namely of the relevant General Assembly and Security Council resolutions, since the Republic of Indonesia lacks the legitimacy to undertake any commitments regarding East Timor.

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* Reissued for technical reasons.

4. I had the honour of addressing you on this matter in my letter dated 9 November 1988, circulated as an official document of the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/AC.109/981).

5. As the administering power of the non-self-governing territory of East Timor, Portugal reiterates its determination to resort to the appropriate international instances to ensure that the legitimate rights of the people of East Timor are duly observed.

I would be grateful if you would kindly arrange for the present letter to be circulated as an official document of the forty-fifth session of the General Assembly, under the item entitled "Question of East Timor", and of the Security Council.

(Signed) Fernando REINO
Ambassador of Portugal
Permanent Representative to
the United Nations